

PAUL J. PASCUZZI, CA State Bar No. 148810
FELDERSTEIN FITZGERALD
WILLOUGHBY & PASCUZZI LLP
400 Capitol Mall, Suite 1450
Sacramento, CA 95814
Telephone: (916) 329-7400
Facsimile: (916) 329-7435

Attorneys for Elli M. A. Mills, J.D., MBA, Receiver

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

USACM LIQUIDATING TRUST,

Plaintiff,

v.

PLACER COUNTY LAND
SPECULATORS, LLC, aka PLACER
COUNTY LAND INVESTORS, LLC; et
al,

Defendants

Civil Action No. 2:08-cv-01276-KJD-RJJ

Date: October 26, 2010
Time: 9:00 a.m.
Judge: Hon. Kent J. Dawson

**THIRD ORDER AUTHORIZING RECEIVER TO BORROW
MONEY AND ISSUE RECEIVER CERTIFICATES**

Upon consideration of the Third Motion of Receiver for Order Authorizing Receiver to Borrow Money and Issue Receiver Certificates [Docket No. 540], after a hearing on proper notice, the Court having considered the motion and arguments, and good cause appearing,

IT IS ORDERED that:

1. The motion is granted;
2. The Receiver is authorized to borrow up to \$150,000 from Edward W. Homfeld, which may be drawn on in up to three tranches of a minimum of \$50,000 each, and issue one or more receiver certificates on the terms and conditions set forth in the motion if the loan is obtained from Mr. Homfeld;
3. The Receiver is authorized to obtain a loan from another source in the amount of \$400,000 which would pay off the Second Loan and provide the additional \$150,000 to the

1 receivership estate, if more favorable terms can be obtained from another source, including one or
2 more of the other Owners;

3 4. Any deed of trust granted to secure the proposed borrowing is senior in priority to
4 the FTB Tax Lien (as defined in the motion);

5 5. The Receiver is authorized to submit an ex parte application, if needed, to approve
6 a form of order that is acceptable to the lender, when chosen, and the title company to ensure that
7 the Receiver can grant a first priority security interest in the property to secure the borrowing,
8 provided that such application is served on any counsel appearing in this matter; and

9 6. The Receiver is authorized to take all actions necessary to effectuate the borrowing
10 and grant of a security interest in the Real Property that is the subject of this receivership,
11 including executing any and all documents on behalf of the receivership estate.

12 Dated: November 2, 2010



13
14 United States District Judge
District of Nevada